

R E M A R K S

Reconsideration and withdrawal of the rejection of the instant claims is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-8 are in this application with claims 1, 7, and 8 amended herein. No new matter has been added. The examiner is thanked for indicating that claims 2-6 are allowed.

In the Office Action claims 1, 7 and 8 are rejected under 35 U.S.C. § 102e) as anticipated by U.S. Patent No. 6,975,624 to Oda et al.

As amended independent claim 1 recites:

a receiving section for receiving a notification including a compression form being executed by a gateway apparatus relaying the data being transmitted to the internet protocol network to a destination circuit switched network, being executed by the destination circuit switched network, and including a transmission rate;

a selecting section for selecting a compression form for compressing the data being transmitted to the internet protocol network based on the notification received by the receiving section;

It is respectfully submitted that the relied upon portions of Oda do not teach either a receiving section or a selecting section as recited in the instant claims. As best understood, Oda teaches a transmit-side gateway and a receive-side gateway, respectively having K coding units 120₁ to 120_K. As a result, the coding systems correspond between the transmit-side gateway and the receive-side gateway, hence the receive-side gateway can process the coded data which the transmit-side gateway has coded by the selected coding system. Accordingly, Oda does not teach the receiving section and the selection section of independent claim 1.

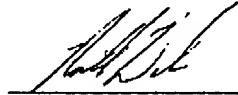
Applicant's claims 7 and 8 also include a receiving section and the selection section having similar features to that of claim 1. For at least these reasons, independent claims 1, 7 and

8 patentably distinguish over the relied upon portion of Oda and are allowable. Withdrawal of the instant rejections is respectfully requested.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. The Examiner is invited to telephone the undersigned attorney at the number listed below prior to issuing a further Action in order to further prosecution.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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